

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION**

CRIMINAL MINUTES - INITIAL APPEARANCE - INDICTMENT

Case No.: 6:12cr00015-001

Date: 4/26/12

Defendant: James Bowers Johnson, present, custody

Counsel: Andrea Harris, AFD, present

PRESENT:	JUDGE:	James G. Welsh, USMJ	TIME IN COURT: 9:44-10:04=20 min
	Deputy Clerk:	Karen Dotson	
	Court Reporter:	Karen Dotson, FTR	
	U. S. Attorney:	Shannon Wright	
	USPO:	Jason Jones	
	Case Agent:	Nick Pompei, SA IRS	
	Interpreter:	n/a	

INITIAL APPEARANCE

- ☒ Initial Appearance. Defendant(s) advised of charges, rights and nature of proceedings.
- ☐ Government moves to unseal case. Court grants or denies motion.
- ☐ Defendant requests appointment of counsel. CJA 23 completed; counsel will be appointed prior to defendant's next scheduled court appearance.
- ☐ Defendant requests continuance to appear with counsel within 5 days.
- ☐ Defendant to next appear for type of hearing(s) on date and time before Judge Judge's name.
- ☐ Deft. released on bond. Bond set at amount and/or type.
- ☒ Deft. remanded to custody.

In addition to the standard conditions of release, the following special conditions of release are imposed:

- ☐ The defendant shall avoid contact outside the presence of his/her counsel with any alleged victims or potential witnesses regarding his/her case.
- ☐ The defendant shall report as directed by the probation officer, and shall promptly report any personal status changes to the probation officer; this shall include immediately reporting any contact by law enforcement officers regarding a criminal investigation or any additional criminal charges placed against the defendant; the defendant shall continue to reside at his/her current residence, and shall not change residences without first obtaining permission from the probation officer.
- ☐ The defendant shall abstain from the excessive OR any use of alcohol or any use or possession of any controlled substances unless prescribed by a licensed treating physician for a legitimate medical purpose.
- ☐ The defendant shall not possess a firearm or other dangerous weapon and shall reside in a residence free of such.
- ☐ The defendant shall submit to random drug and or alcohol testing as directed by the probation officer.
- ☐ The defendant shall not travel outside the Western District of Virginia without first obtaining permission from the probation officer.
- ☐ The defendant shall submit to warrantless search and seizure of his/her person and property as directed by the probation officer for the purpose of determining if he/she is in compliance with his/her conditions of pretrial release.
- ☐ The defendant shall actively seek and/or maintain employment.
- ☐ The defendant shall maintain or commence an education program.
- ☐ The defendant shall surrender his/her passport to the Probation Office to be held pending further order of the court; the defendant shall not apply to obtain a passport.
- ☐ The defendant shall not associate with any known users/possessors of illegal controlled substances and shall not be present in any location where illegal controlled substances are being used and/or distributed, unless approved by his/her supervising officer in cooperation with law enforcement officers.

- ☐ The defendant shall be placed on home detention subject to electronic monitoring and all residential absences must be approved in advance by the probation officer.
- ☐ The defendant shall continue in his/her current mental health OR substance abuse OR both counseling/treatment program at his/her own expense.
- ☐ The defendant shall allow the probation officer open communication with any treatment agencies or health care providers for the purpose of monitoring the defendant's compliance with all treatment requirements.
- ☐ Any animals on the premises of the defendant's residence must be restrained in a way so as to not interfere with the probation officer's access to the defendant's residence and to ensure the officer's safety.
- ☐ Defendant advised of penalties and sanctions for failure to appear and/or violating conditions of release.

Orders forthcoming: type of order(s)

Additional Information:

Dft objects to the style of the case, states he is not the dft

Dft advised of charges against him and range of punishment for each offense

Dft states he is not the dft, court asks dft what he wants to be called and he wants to be addressed as "friend"

Dft states he doesn't understand the charges against him, however, dft appears to understand the English language

Dft invokes his right to an article III judge

Court appoints the FPD to assist the dft if at all possible

Dft does not request bond

Dft remanded to USM custody

Arr set for 5/3/12 @ 3:30 p.m. in H'burg